

FISCAL NOTE

TO: Chief Clerk of the Senate
Chief Clerk of the House

FROM: James A. Davenport, Executive Director

DATE: May 22, 1995

SUBJECT: **SB 1714**

This bill, if enacted, will require a criminal record check be conducted on every driver license applicant prior to issue or reissue of their license. The actual license will be coded with a magnetic strip that indicates if that applicant was convicted of a felony within the last five years. Any license which is not so encoded is considered a "permit" pursuant to the federal "Brady Handgun Violence Prevention Act." This would enable fire arms dealers to use magnetic code readers and immediately check any person attempting to buy a weapon to find if they have a prior felony record. This bill would make the maximum time limit on any license five years, where current law allows a time period of three to seven years. Any person convicted of a felony would have their license seized by the trial court and could reapply to the Department of Safety for a new license suitably encoded.

The Department of Safety would be responsible for establishing a list of convicted felons to check the names of persons prohibited from purchasing firearms. The bill enacts criminal penalties for any firearms

dealer who sells a handgun to a non-licensed person or does not report the attempted purchase of a firearm by a non-licensed person.

The fiscal impact of this bill, if enacted, is estimated to be an increase in recurring expenditures of \$1,684,600 and one-time expenditures of \$1,244,400 in the first year and \$2,776,800 recurring expenditures in the second year. State revenue will be reduced an estimated \$1,000,000 the first year and \$1,800,000 the second year because licenses will be issued for five years rather than seven.

An additional estimated cost of incarceration is estimated to be \$3,884 annually based on convictions for selling a handgun illegally and counterfeiting a driver license.*

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first name "James" and last name "Davenport" clearly legible.

James A. Davenport, Executive Director

**Section 9-6-119, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law.*

